

APPENDIX D

ENDANGERED SPECIES CORRESPONDENCE

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C-089636



United States Department of the Interior

TAKE
PRIDE IN
AMERICA

FISH AND WILDLIFE SERVICE
Fish and Wildlife Enhancement
Sacramento Field Office
2800 Cottage Way, Room E-1803
Sacramento, California 95825-1846

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
AUG 23 1992		
CODE	ACTION	SURNAME & DATE
700		
750		August 25, 1992

In Reply Refer To:
1-1-92-SP-1189

Memorandum

To: Chief, Division of Planning and Technical Services, U.S. Bureau of Reclamation, Sacramento, California (Attn: Ms. Carol Sakamoto)

From: *Acting* Field Supervisor, Sacramento Field Office
Sacramento, California (SFO)

Subject: Species List for the Proposed Red Bluff Diversion Dam Pumping Plant, Sacramento River, Tehama County, California

As requested by letter from your agency dated July 30, 1992, you will find attached a list of species designated as endangered or threatened under the Endangered Species Act of 1973, as amended (Act), that may be present in the subject project area (Attachment A). To the best of our knowledge, no species proposed for listing under the Act occur within the area. This list fulfills the requirement of the Fish and Wildlife Service to provide a species list pursuant to Section 7(c) of the Act.

Some pertinent information concerning the distribution, life history, habitat requirements, and published references for the listed species is also attached. This information may be helpful in preparing the biological assessment for this project, if one is required. Please see Attachment B for a discussion of the responsibilities Federal agencies have under Section 7(c) of the Act and the conditions under which a biological assessment must be prepared by the lead Federal agency or its designated non-Federal representative.

Section 7 consultation, pursuant to 50 CFR § 402, should be initiated if you determine that a listed species may be affected by the proposed project. Informal consultation may be utilized prior to a written request for formal consultation to exchange information and resolve conflicts with respect to a listed species. If a biological assessment is required, and it is not initiated within 90 days of your receipt of this letter, you should informally verify the accuracy of this list with our office.

Also, for your consideration, we have included a list of the candidate species that may be present in the project area (See Attachment A). These species are currently being reviewed by our Service and are under consideration for possible listing as endangered or threatened. Candidate species have no protection under the Act, but are included for your consideration as it is possible that one or more of these candidates could be proposed and listed before the subject project is completed. Should the biological assessment reveal that candidate species may be adversely affected, you may wish to contact our office for technical assistance. One of the potential benefits from such technical assistance is that by exploring alternatives early in the planning process, it may be possible to avoid conflicts that could otherwise develop, should a candidate species become listed before the project is completed.

X to CUP RIV 4 CO

Classification	PRJ 13 CO-
Project	CUP
Control No.	95013282
Field ID	2380
Keyword	DAM

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Chief, Division of Planning and Technical Services

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Please contact the Section 7 Coordinator of this office at (916) 978-4866 if you have any questions regarding the attached list or your responsibilities under the Act. For questions concerning the threatened winter-run chinook salmon, please contact Jim Lecky, Endangered Species Coordinator, National Marine Fisheries Service, Southwest Region, 501 West Ocean Boulevard, Suite 4200, Long Beach California 90802-4213, or call him at (301) 980-4015.

Gail C. Kobetich
for Wayne S. White

Attachments

cc: FWS-SFO (Wetlands), Sacramento, CA

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ATTACHMENT A

LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES AND
CANDIDATE SPECIES THAT MAY OCCUR IN THE AREA OF THE PROPOSED
PILOT PUMPING PLANT AT RED BLUFF DIVERSION DAM
SACRAMENTO RIVER, TEHAMA COUNTY, CALIFORNIA
(1-1-92-SP-1189, August 25, 1992)

Listed Species

- Fish
winter-run chinook salmon, *Oncorhynchus tshawytscha* (T)
- Birds
bald eagle, *Haliaeetus leucocephalus* (E)
- Invertebrates
valley elderberry longhorn beetle, *Desmocerus californicus dimorphus* (T)

Proposed Species

None

Candidate Species

- Fish
sacramento splittail, *Pogonichthys macrolepidotus* (2)
green sturgeon, *Acipenser medirostris* (2R)
- Amphibians
california red-legged frog, *Rana aurora draytonii* (1#)
- Reptiles
northwestern pond turtle, *Clemmys marmorata marmorata* (2)
- Mammals
pacific western big-eared bat, *Plecotus townsendii townsendii* (2)
- Plants
silky cryptantha, *Cryptantha crinita* (2)
adobe lily, *Fritillaria pluriflora*

- (E)--Endangered (T)--Threatened (P)--Proposed (CH)--Critical Habitat
(1)--Category 1: Taxa for which the Fish and Wildlife Service has sufficient
biological information to support a proposal to list as endangered or
threatened.
(2)--Category 2: Taxa for which existing information indicated may warrant
listing, but for which substantial biological information to support a
proposed rule is lacking
(1R)--Recommended for Category 1 status
(2R)--Recommended for Category 2 status
(#)--Listing petitioned
(*)--Possibly extinct

ATTACHMENT B

FEDERAL AGENCIES' RESPONSIBILITIES UNDER
SECTIONS 7(a) and (c)-OF THE ENDANGERED SPECIES ACT

SECTION 7(a) Consultation/Conference

Requires: 1) Federal agencies to utilize their authorities to carry out programs to conserve endangered and threatened species; 2) Consultation with FWS when a Federal action may affect a listed endangered or threatened species to insure that any action authorized, funded or carried out by a Federal agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The process is initiated by the Federal agency after determining the action may affect a listed species; and 3) Conference with FWS when a Federal action is likely to jeopardize the continued existence of a proposed species or result in destruction or adverse modification of proposed critical habitat.

SECTION 7(c) Biological Assessment--Major Construction Activity¹

Requires Federal agencies or their designees to prepare a Biological Assessment (BA) for major construction activities. The BA analyzes the effects of the action² on listed and proposed species. The process begins with a Federal agency requesting from FWS a list of proposed and listed threatened and endangered species. The BA should be completed within 180 days after its initiation (or within such a time period as is mutually agreeable). If the BA is not initiated within 90 days of receipt of the list, the accuracy of the species list should be informally verified with our Service. No irreversible commitment of resources is to be made during the BA process which would foreclose reasonable and prudent alternatives to protect endangered species. Planning, design, and administrative actions may proceed; however, no construction may begin.

We recommend the following for inclusion in the BA: an on-site inspection of the area affected by the proposal which may include a detailed survey of the area to determine if the species or suitable habitat are present; a review of literature and scientific data to determine species' distribution, habitat needs, and other biological requirements; interviews with experts, including those within FWS, State conservation departments, universities and others who may have data not yet published in scientific literature; an analysis of the effects of the proposal on the species in terms of individuals and populations, including consideration of indirect effects of the proposal on the species and its habitat; an analysis of alternative actions considered. The BA should document the results, including a discussion of study methods used, any problems encountered, and other relevant information. The BA should conclude whether or not a listed or proposed species will be affected. Upon completion, the BA should be forwarded to our office.

¹A construction project (or other undertaking having similar physical impacts) which is a major Federal action significantly affecting the quality of the human environment as referred to in NEPA (42 U.S.C. 4332(2)(C)).

²"Effects of the action" refers to the direct and indirect effects on an action on the species or critical habitat, together with the effects of other activities that are interrelated or interdependent with that action.